

YAVAPAI COUNTY ATTORNEY'S OFFICE
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IN THE SUPERIOR COURT OF STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff,

v.

STEVEN CARROLL DEMOCKER,

Defendant.

Cause No. P1300CR20081339

Division 6

STATE'S PROPOSED JURY
INSTRUCTIONS

The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney,
and her deputy undersigned, hereby submits its proposed preliminary jury instructions.
These instructions are based upon the Revised Arizona Jury Instructions (RAJI (Criminal)
3rd).

RESPECTFULLY SUBMITTED this 3d May April, 2010.

Sheila Sullivan Polk

YAVAPAI COUNTY ATTORNEY

By:

Joseph C. Butner

Deputy County Attorney

STANDARD CRIMINAL JURY INSTRUCTIONS:

- 1
- 2 1 - Duty Of Jury
- 3 2 - Lawyer's Comments Are Not Evidence
- 4 3 - Stipulations
- 5 4 - Evidence To Be Considered
- 6 5a - Presumption of Innocence
- 7 5b(1) - Burden of Proof (complies with *State v. Portillo*, 182 Ariz. 592 (1995))
- 8 6 - Voluntariness of Defendant's Statements
- 9 8 - Character and Reputation of the Defendant
- 10 9 - Flight or Concealment
- 11 15 - Defendant Need Not Testify
- 12 16 - Evidence of Any Kind
- 13 17 - Voluntary Act
- 14 18 - Credibility of Witnesses
- 15 20 - Witness (Prior Conviction)
- 16 21 - Indictment/Information Is Not Evidence
- 17 22 - Lesser-Included Offense
- 18 24 - Direct and Circumstantial Evidence
- 19 25 - Expert Witness
- 20 34 - Testimony of Law Enforcement Officers
- 21 35 - Separate Counts
- 22 36 - Defendant's Testimony

R.A.J.I. DEFINITIONS

- 15
- 16 1.056(a)(1) Intentionally or With Intent to Defined
- 17 1.056(a)(2) Intent – Inference
- 18 1.056(b) Knowingly Defined
- 19 1.058 Dangerous Instrument Defined
- 20 1.0510 Deadly Weapon Defined
- 21 1.0516 Definition of Felony
- 22 1.0536 Definition of Unlawful

STATUTORY CAPITAL CRIMINAL JURY INSTRUCTIONS

- 21
- 22 1.0 Degree of Participation Instruction
- 23 1.1 Eligibility Phase, Nature of the Hearing
- 24 1.2 Duties of the Jury
- 25 1.3 Evidence
- 26 1.4 Burden Of Proof
- 1.5 Definition of Proof Beyond a Reasonable Doubt
- 1.6 Aggravating Circumstances
- 1.6(c) Definition for "Consideration for the Receipt, or in Expectation of the Receipt, of Anything of Pecuniary Value"

STATUTES

- | | | |
|----|-----------------------|--|
| 1 | | |
| 2 | A.R.S. § 13-604(I) | - Dangerous and Repetitive Offenders – Definitions |
| 3 | A.R.S. § 13-701 | - Sentence of Imprisonment for a Felony |
| 4 | A.R.S. § 13-702 | - Sentencing – Definitions |
| 5 | A.R.S. § 13-703(A) | - Sentence of Death or Life Imprisonment |
| 6 | A.R.S. § 13-703(F)(5) | - Pecuniary Gain |
| 7 | A.R.S. § 13-703.01 | - Sentence of Death or Life Imprisonment or Natural Life – Definitions |
| 8 | A.R.S. § 13-1101 | - Homicide – Definitions |
| 9 | A.R.S. § 13-1105 | - First Degree Murder – Classification |
| 10 | A.R.S. § 13-1104 | - Second Degree Murder – Classification |
| 11 | A.R.S. § 13-1501 | - Burglary – Definitions |
| 12 | A.R.S. § 13-1508 | - Burglary in the First Degree - Classification |
| 13 | A.R.S. § 13-1507 | - Burglary in the Second Degree - Classification |

STATUTORY DEFINITIONS

- | | | |
|----|------------------|---|
| 14 | A.R.S. § 105(5) | - Definition of “Conduct” |
| 15 | A.R.S. § 105(9a) | - Definition of “Intentionally” |
| 16 | A.R.S. § 105(9b) | - Definition of “Knowingly” |
| 17 | A.R.S. § 105(9c) | - Definition of “Recklessly” |
| 18 | A.R.S. § 105(12) | - Definition of “Deadly Physical Force” |
| 19 | A.R.S. § 105(13) | - Definition of “Deadly Weapon” |
| 20 | A.R.S. § 105(16) | - Definition of “Felony” |

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COPIES of the foregoing delivered this
3rd day of ~~April~~ May, 2010 to:

Honorable Thomas J. Lindberg
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